Exhibit A: DHS Report of Investigation 001

		, ,
REQUESTED BY:	REVORD, CHRISTOPHER J	
	OFFICIA	L USE ONLY

DEPARTMENT	OF HOMELAND SECURITY			ACCESS	CODE 3	
REPORT OF	INVESTIGAT	TON	PAGE	1		
			CASE	NUMBER		
TITLE: CLAYTON	BROTHER ET AL	=		<u></u>		
CASE STATUS:	INIT RPT					-
REPORT DATE	DATE ASSIGNED	PROGRA	AM CODE		REPORT	NO.
040115	033115		D0		001	
RELATED CASE N	JMBERS:			1		
COLLATERAL REQ	•					
TYPE OF REPORT	•				<u>.</u>	
INVESTIGATIVE F	·					
	/ INITIAL SOU	RCE DOCUME	ENT			-1
TOPIC: BACKGROUND	INFORMATION ON CLAYTO	N BROTHERS	S		****	
ainiana-a						

SYNOPSIS:

Homeland Security Investigations (HSI), Border Enforcement Security Task Force (BEST) Massena, New York has received information from the New York State Police (NYSP) Bureau of Criminal Investigations (BCI) that Clayton BROTHERS is a convicted felon in possession of several firearms, body armor and ammunition. This case has been accepted for federal prosecution by the Northern District of New York (NDNY).

This report details the circumstances leading to the discovery of weapons, body armor and ammunition believed to belong to Clayton BROTHERS.

DISTRIBUTION: RACMZ SACBU HQTK	SIGNATURE: _ REVORD	CHRISTOPHE	J	SPECIAL	AGENT
	APPROVED:WAUGAMAN	JACK	G	OI GRP	SUPERVISOR
	ORIGIN OFFIC MASSENA, NY -	RAC			315 769 3739 ORD



DEPARTMENT OF HOMELAND SECURITY ICE	PAGE 2
REPORT OF INVESTIGATION	CASE NUMBER
CONTINUATION	REPORT NUMBER: 001

CASE PROGRAM CODES:

YDO CRIMINAL, ALL OTHER J7B MASSENA RES OPS L6W BEST MASSENA 6IE BEST

TFO HSI TASKFORCE OFFICE

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OF THE DEPARTMENT OF HOMELAND SECURITY, ICE. ANY FURTHER REQUEST FOR DISCLOSURE OF THIS DOCUMENT OR INFORMATION CONTAINED HEREIN SHOULD BE REFERRED TO ICE HEADQUARTERS TOGETHER WITH A COPY OF THE DOCUMENT.

ı	DEPARTMENT OF HOMELAND SECURITY	PAGE 3
I	ICE	
1		CASE NUMBER
1	REPORT OF INVESTIGATION	
l	CONTINUATION	REPORT NUMBER: 001
ı		

Details of Investigation

On February 12, 2015, investigators of the NYSP BCI contacted investigators from BEST Massena regarding a sexual assault case they had been working. The BCI stated during the course of their investigation they have seized 6 firearms, multiple 30 round assault rifle magazines, a large quantity of ammunition and body armor from the residence of Clayton BROTHERS.

C. BROTHERS was convicted of Robbery on October 1, 1996 in the state of Pennsylvania and has been on parole since his release from Pennsylvania state prison.

On April 23, 2015, the NYSP initiated an investigation on C. BROTHERS after reported he sexually abused her. During this time C. BROTHERS lived at 861 Blanchard Hill Rd, Russell, NY with his wife Jamie Brothers, his step daughters Robyn Hicks and Lauryn Hicks.

John Parker also lived at the residence and is the boyfriend of Robyn Hicks.

reported the sexual abuse to authorities at her high school who in turn contacted the NYSP. By the time investigators were able to respond to the residence in Russell, C. BROTHERS had left the area and could not be located. The family was advised to keep the NYSP informed if they hear from C. BROTHERS.

On April 28, 2015, Computer Forensic Agents (CFAs) from HSI RAC Massena travelled to 861 Blanchard hill Rd, Russell, NY to image all computers and electronic media accessible to C. BROTHERS for evidence of child exploitation. All results were negative. Before the HSI agents left they asked the family to look for anything suspicious and report it to them or the NYSP

On April 29, 2015, the NYSP was contacted by Parker who reported he had found guns, body armor and ammunition in the attic of 861 Blanchard Hill Rd. Parker stated after agents told him to look for anything suspicious he located an attic access above the closet in C. BROTHERS bedroom. When Parker looked in the attic he found a .50 caliber black powder rifle, a clear plastic bag containing a large quantity of ammunition and body armor. Parker also found an attic access in the garage where he located 3 assault style rifles, a hunting rifle, numerous high capacity magazines and boxes with Clayton BROTHERS' name on them. Parker told investigators none of the items he found belonged to him, J. Brother, R. Hicks or L. Hicks. the following items were seized by the NYSP on this date:

-Colt Law Enforcement Carbine (s/n: LE072633), 5.56 caliber, with Nikon scope. -DPMS Carbine (s/n: F167433K) 5.56 caliber, with scope and Sight Mark brand green laser.

DEPARTMENT OF HOMELAND SECU	JRITY PAGE 4
REPORT OF INVESTI	CASE NUMBER
CONTINUATION	

- -Sig Sauer Pistol (s/n: TP003872) 5.56 caliber, with red dot and laser sight.
- -Thompson Center Arms (s/n: K344511) .50 caliber Hawkens Muzzle loader rifle.
- -Savage Arms (no serial number) .22 caliber / 410 gauge combo.
- -10 black p-mags 5.56 caliber 30 round capacity: loaded with various amounts of rounds.
- -4 gray metal magazine 5.56 caliber 30 round capacity: empty.
- -1 gray metal magazine 5.56 caliber 20 round capacity: loaded with unknown number of rounds.
- -camouflage soft body armor with additional black body armor.
- -black nylon bag containing multiple rounds of various caliber ammunition.

On April 29, 2014, investigators of the NYSP test fired the Colt 5.56, the DPMS 5.56 and the Sig Sauer 5.56. all three weapons operated satisfactorily.

On May 17, 2014, Parker contacted investigators from NYSP to inform them he had found another gun and a large quantity of ammunition. Parker stated he was moving a lawn tractor out of the garage, when he moved a laundry basket stacked on top of the lawn mower a long gun fell out of a bag which was contained in the laundry basket. Under the bag was a large quantity of ammunition contained in a clear plastic bag. NYSP seized the following items from this incident:

- -Remington Arms rifle (s/n: 7066283), 30-06 caliber, model 742 with scope.
- -Large quantity of ammunition in a clear plastic bag.

On May 18, 2014, Parker again contacted investigators from NYSP to advise them he had found two more loaded high capacity magazines. Parker stated he was walking approximately 300 yards behind the house on the property when he found two loaded high capacity magazines in a duck blind. The NYSP seized both Sig Sauer .223 caliber loaded magazines.

On June 26, 2014, J. Brother contacted the NYSP and informed them that her son visiting from Texas had found more ammunition in a box of belongings he had stored at 861 Blanchard Hill Rd. The NYSP seized the large quantity of .223 caliber ammunition.

On January 26, 2015, Clayton BROTHERS was located and taken into custody in South Carolina for violation of Pennsylvania state parole. C. BROTHERS had not reported to his Parole officer since he left Russell, NY on April, 24, 2014.

C. BROTHERS is currently serving a 6 month sentence at State Correctional Institute, Camp Hill, PA for failure to report to his parole officer. C. BROTHERS will be release to Pennsylvania state parole on July 26, 2015.

The investigation continues.

REQUESTED BY: REVORD, CHRISTOPHER J

OFFICIAL USE ONLY -- TECS II INFORMATION -- OFFICIAL USE ONLY

050615

TECS II - LIST OF RELATED RECORDS

PAGE 1

Exhibit B:

Penn. Bd. Prob. & Parole Conditions Governing Parole/Reparole

02:14:51 p.m. 09-23-2015 34 3157852301

09/23/2015 14:55

3157852301

WATERTWN

PAGE 34

Pennsylvania Board of Probation and Parole PBPP-11 (Rev. 7/91)

CONDITIONS GOVERNING PAROLE/REPAROLE

Ta: Clayton Brothers Parole No.

881AR

Report in person or in writing within 48 hours to the district ediles or auth-office listed below, and do not leave that district without prior writien permission of the person expension soul.

S. Lowman

2706 Cherrybrook Lane

Pasadena, Texas 77502

713-941-8345

Report in person immediately upon arrival

2. Your approved residence is listed below and may not be dranged without the written pormission of the percele supervision staff.

Gwyneth P. Carr (Mother) 8128 Tri City Beach Road Baytown, Texas 77520 281-383-3272

Maintain reguler commit with the parole expended on shall by:

c. reporting regularly-sell-retructed and legaring any written instructions of the Board or the perole supervision staff.

b. rolllying the parole supervision staff within 72 hours of: (1) your secupe of a summons or clistion for an ellenter purishable by imprisonment upon conviction; and

c. rollly the perole supervision such admin 72 hours of any change in status, including, including, including to, simpleyment, on-the job staining, and

Comply with all municipal, county, some and Pederal criminal laws, as well as the provisions of the Vehicle Code (75 Pa. C.S. § 101 grand.), and the Liquer Code (47 P.S. § 1-101 stree.)

aparaming of the Controlled Substantia, Dyag. Davico, and Communic Am (36 P.S. § 780-101 or 200-) without a world parametrization of the Controlled Substantia, Dyag. Davico, and Communic Am (36 P.S. § 780-101 or 200-) without a world parametrization overlag or parametrization.

- You shall pay lines, cover, and restitution imposed on you by the sentencing court. You shall establish with appropriate county authorities within 1910 (30) days of your religion from phases a payment schedule for the fines, costs and restitution quest for them makes for which you are now on some parole. Therefore you shall:

 purples and countries you shall:

 provide proof of seth payment to payole expervision staff; and

 provide proof of seth payment to payole expervision staff; and

 the parole supervision staff and the court reformed of any changes in your (insucial shall) to pay fines, costs and restitution.

- 7. You shall comply with the special conditions listed on page 2 imposed by the Board and with special conditions imposed by the porola supervision

Additionally, should problems siles, or questions cover constraing the conditions of your parole repercise, consult with the parets supervision such, and they will bein your in the interpretation of the Conditions of PerolePreparets.

If you are accessed on now criminal charges, the Board has the extinolity to lodge a detailner spained you want to opinional interest income charges, and income charges, and income charges, the Board has extinolity to lodge a detailner spained you want recognitional from those charges.

If you violate a condition of your percle/reparcle and, efter the appropriate hashingle), the Board decides that you are in violation of a condition of your perstafrepercie you may be recommitted to prison for such time on they be specified by the Board.

if you are convicted of a crime committed while on parcial repercits, the Board has the astronary, after an expression touring, so recognish you to serve the balance of the sentence and the sentence which you were senting when parcial/impercial, with no credit for time at Rherty on parcial.

If you tribbt over any of your rights have been violated so a result of your parties acquired from you may estable a timely complete it in writing, first to the district. Greator of the district office through which you see being supervised. If you complete is not resolved to your establishment, your complete it writing to the Permitylestic Beard of Probation and Partie, Bureau of Probation Services, 1101 South From St. Suite 5400, Harrisburg, Pa. 17104-2620.

ration of being granted the privilege of perceptable by the Pennsylvania Board of Probesion and Perole, I hereby egree that

If I am ever stranged with a parcia violation arising our of my conduct while in a jurisdiction other than the Conscourageth of Pricosylvania, the revocation of my parcia for that violation may be based solely on documentary evidence and I haveby waive any right to controls or cross-examine any parcia who prepared any each observance are vidence at late supplied information used in its preparation:

Texpressly waive extraction to the Commonwealth of Pennsylvania from any jurisdiction in or autobe of the United States, where I may be found, and I shall not contact any effort by any jurisdiction to return me to the United States or to the Commonwealth of Pennsylvania; and

I expressity contests to the search of my person, property and residence, without a marrant by against of the Perspeyteeria Board of Probation and Parole, Any learn, in the presentation of which constitutes a violation of perolefreperole shall be subject to setting and may be used as evidence in the perole diversion products.

Exhibit C:

DOCCS Cert. of Release to Parole Supervision Nov. 5, 2013

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Exhibit D: DHS Report of Investigation 004

REQUESTED BY: REVORD, CHRISTOPHER J OFFICIAL USE ONLY

DEPARTMENT	OF HOMELAND SECURITY ICE		CCESS CODE 3
REPORT OF	INVESTIGAT		1
		CASE NU	MBER
TITLE: CLAYTON	BROTHER ET AL		
CASE STATUS:	INTERIM RPT		
REPORT DATE	DATE ASSIGNED	PROGRAM CODE	REPORT NO.
062915	033115	YD0	004
RELATED CASE N	UMBERS:		
COLLATERAL REQ	:		
TYPE OF REPORT INVESTIGATIVE F			
8	/ MEMO OF INT	ERVIEW	1
TOPIC: INTERVIEW O	F WITNESSES	77 - es	
CVNODCTC.			

SYNOPSIS:

Homeland Security Investigations (HSI), Border Enforcement Security Task Force (BEST) Massena, New York has received information from the New York State Police (NYSP) Bureau of Criminal Investigations (BCI) that Clayton BROTHERS is a convicted felon in possession of several firearms, body armor and ammunition. This case has been accepted for federal prosecution by the Northern District of New York (NDNY).

This report details the in person interview of Jamie Brothers, her oldest daughter Robyn Hicks and Joseph MARTIN (at a different location). This report also Details the telephonic interview of Jonathan Parker, Robyn Hick's ex-boyfriend.

DISTRIBUTION:	SIGNATURE:				
RACMZ SACBU HQTK	REVORD	CHRISTOP	HE J	SPECIAL AGENT	_
	APPROVED:				
!	WAUGAMAN	JACK	G	OI GRP SUPERVISOR	
	ORIGIN OFFI	CE: MZ	TELE	EPHONE: 315 769 37	39
	MASSENA, NY -	RAC			
			TYP	IST: REVORD	
	OFFICIA	LUSE	ONL	Y	

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DEPARTMENT OF HOMELAND SECURITY ICE	PAGE 2
REPORT OF INVESTIGATION	CASE NUMBER
CONTINUATION	REPORT NUMBER: 004

CASE PROGRAM CODES:

YDO CRIMINAL, ALL OTHER J7B MASSENA RES OPS L6W BEST MASSENA 61E BEST TFO HSI TASKFORCE OFFICE

DEPARTMENT OF HOMELAND SECURITY ICE	PAGE 3
REPORT OF INVESTIGATION	CASE NUMBER
CONTINUATION	REPORT NUMBER: 004

Details of Investigation

On June 5, 2015, Agents from BEST Massena and an AUSA from the Northern District of New York interviewed Jamie Brothers and Robyn Hicks at their residence located at 861 Blanchard Hill Rd, Russell, NY. The purpose of this interview was to find out how the family never knew about the multiple firearms, body armor and large quantity of ammunition hidden in the attic of both the house and the garage.

Jamie Brothers and Robyn Hicks stated at no point in time while they lived with Clayton BROTHERS have they ever seen the firearms or ammunition that was seized from their residence in April 2014. They both said they saw the body armor hanging in the closet when they lived in Texas. According to J. Brothers, C. BROTHERS said he would use the body armor for protection from other hunters when he hunted in New York.

Jamie Brothers stated C. BROTHERS received multiple shipments from FEDEX when they lived in Texas but she did not know where they were from or the contents. J. BROTHERS does not recall any large packages being delivered to the house in Russell, NY.

Jamie Brothers stated Clayton BROTHERS purchased the above mentioned residence in the late spring, early summer of 2012. During this time, Clayton Brothers made at least five trips from their house in Texas to the new residence in New York to move household items and other personal articles. J. Brothers said Clayton BROTHERS wanted to move the majority of their things before the family moved to New York so the house was livable when they arrived. Jamie also stated she only packed her personal items and fragile dishes that had been in her family for years. Jamie Brothers went on to say Clayton BROTHERS was assisted by Joe MARTIN (DOB:

). MARTIN would fly down to Texas, help C. BROTHERS pack the moving truck and drive back to New York with him.

MARTIN served prison time with Clayton BROTHERS in Pennsylvania and that is how they met. MARTIN and Clayton BROTHERS stayed in touch after being released from prison. Clayton BROTHERS purchased the residence at 861 Blanchard Hill Rd from MARTIN'S mother-in-law.

Robyn Hicks stated she had only been in the attic of the garage one time and that was in June of 2012 (shortly after they moved to New York) to help move large quantity of canned food from the attic to the main level of the garage. Jamie Brothers said she knew the attic above the garage existed but had never been up there. Robyn Hicks said her sister; Lauryn Hicks went into the garage attic once to move her mother's wedding items.

DEPARTMENT OF HOMELAND SECURITY	PAGE 4
ICE	CASE NUMBER
REPORT OF INVESTIGATION _	CADD NONDER
CONTINUATION	REPORT NUMBER: 004

Both Robyn Hicks and Jamie Brothers said they have never been in the attic located above the master bedroom closet.

According to Jamie Brothers and Robyn Hicks, Clayton BROTHERS made it well known to the family they should not go through his belongings and to stay away from his property.

Shortly after the family moved to Russell, NY Robyn Hicks and started working for a temp agency stocking shelves at a warehouse. She worked from 6:00 a.m. to 4:30 p.m., Monday through Friday. Jamie Brothers began working for the same temp agency in October of 2013 but held a position in the administrative office for Kinney Drugs Monday through Friday 8:00am to 4:30pm. J. BROTHERS held that position until June of 2014.

In October of 2013, Robyn Hicks said she move back to Texas for a few months and returned to New York with her boyfriend in February of 2014. When Robyn moved back she resumed her job with the same temp agency and maintained the same schedule.

Robyn Hicks stated her boyfriend; John Parker (DOB:) was unemployed and spent the majority of the day with C. BROTHERS helping him around the house and property.

On June 5, 2015, Agents from BEST Massena interviewed Joseph MARTIN at his residence located at 1325 County Route 17, Russell, NY. MARTIN stated he met C. BROTHERS at Huntington State correctional institute in Pennsylvania in 1996. They were both in the same Christian fellowship group and became friends. MARTIN said he served 26 years in prison for two rape conviction he had received. Shortly after he was released from prison, MARTIN said he was contact by C. BROTHERS and the two stayed in contact. In the spring of 2012 MARTIN said he told C.BROTHERS about the house his mother-in-law was selling and C. BROTHERS eventually bought it. MARTIN said he travelled down to Texas on several occasions for the purpose of helping C. BROTHERS move his family's belonging to Russell, NY.

Special Agents from BEST Massena presented MARTIN with photographs of the firearms seized from C. BROTHERS' residence in April 2014. MARTIN stated he had never seen the firearms before and he did not know C. BROTHERS possessed them. MARTIN did say he was not surprised the firearms were found at the C. BROTHERS' residence because MARTIN described C. BROTHERS as a "very secretive person." MARTIN stated he did not spend much time with C. BROTHERS after he moved to Russell, NY despite only living a couple miles away. When they did they see each other they would cut fire wood for the winter.

DEPARTMENT	OF HOMELAND SECURITY	PAGE 5
	ICE	
		CASE NUMBER
	INVESTIGATION FINUATION	DEDORM NUMBER : 004
C O N	IINUATION	REPORT NUMBER: 004

On June 14, 2015, Agents from BEST Massena telephonically interviewed Johnathan Parker. Parker stated the only time he saw the firearms, ammunition or body armor seized by law enforcement was when he found them. Parker did say he saw a crossbow that C. BROTHERS would use for hunting because it was stored in plain sight next to the laundry room in the house. Parker noticed the day before C. BROTHERS was told to leave the house by Jamie BROTHERS (Associated the garage. So when law enforcement officers told the family to look around for anything suspicious, parker immediately thought of looking in the garage. Parker also stated his father was charged with sexually molesting when they were younger and he understood how difficult it was to prove those types of cases, so he took it very seriously when law enforcement asked the family to look for anything suspicious.

Parker told agents while he lived in Russell, NY with C. BROTHERS he would help him around the house with projects and cutting wood. Parker described C. BROTHERS as having a sovereign citizen or survivalist type mentality. Parker explained conversation he had with C. BROTHERS where C. BROTHER expressed desires to "live off the Grid". Parker also quoted C. BROTHERS as making statement such as "Obama is the Devil" and "there are lizards living among us", referring to government investigators' abilities to blend in with the general population.

The investigation continues.

Exhibit E: Affidavit of Clayton Brothers

	ED STATES DISTRICT COURT THER DISTRICT OF NEW YORK	
UNIT	ED STATES OF AMERICA,	A ECEPTO A TANCE
	-V-	AFFIDAVIT CASE NO. 5:15-CR-0198 (BKS)
CLAY	TON BROTHERS,	
	Defendant.	
1. 2. 3.	of New York) y of Onondaga) I, Clayton Brothers, being duly sworn, depose I own the home at 861 Blanchard Hill Road in Most of my belongings remain there. I temporarily left the home in April 2014 after still consider it my home. There is a lock on my bedroom door. My wife The garage contains a wood stove, a hammock of my belongings. When I am home I spend a	Russell, New York. It is my residence. a dispute with my wife and step-children. I and I are the only ones with keys.

6. John Parker was at one time dating my step-daughter. In February 2014 he arrived from Texas with just a backpack to visit. Other than the backpack, his belongings remained in Texas. He did not have a key to my house. He did not have his own room in my house. He was allowed to sleep in my step-son's room. He did not pay rent. He did not assist

5. I have repeatedly told my family not to go through my belongings and to stay away from

my property.

with paying any bills. I understood that he was a temporary guest.

- 7. The agents who came to see me at Camphill Pennsylvania State Correctional Institute never advised me of my *Miranda* rights.
- 8. During the interrogation, one of the agents told me, "You need a lawyer." I said "Okay, can you get one for me?" One of the agents responded, "That is not our job." The agents then continued questioning me.
- 9. I asked the agents for official paperwork. One of the agents said, "No."

I declare under penalty of perjury that the foregoing is true and correct.

October 26, 2015

Clayton Brothers

Exhibit F: Cheaperthandirt.com Invoice

Order # 6499578A		COPY				oice Da 5/02/11		Page 1	
Bill To CLAY BROTHERS 947 NEPTUNE LN HOUSTON, TX 77062-4304			Ship To CLAY BROTHERS 16319 MILL POINT DR HOUSTON, TX 77059-5316						
Customer No. 4707969	Sales I.D. WEB/WEB			Source /WEB		XX	T ₀	erms X0545	Visa
Ordered	Ву	Warehouse		ne Number) 343-4927	Total W		Zone	Pkg 0	Ship Via

Thank you for your order from www.CheaperThanDirt.com

Qty	B/O	Ship	ltem #	Description	Un. Price	Ds	Amount	_
1	0	1	AMM-223C	Ammo .223/5.56 NATO Lake City XM855 FMJ 62 Grain Steel Penet	479.79	_	479,79	
				1000 Loose Bulk Case 3025 fps XM855CS				
1	0	1	ARR-203	AR-15 CQB Tactical Sniper Single-Point Sling Black	29.97		29.97	
				Elastic Allows for Quick Deployment				
1	0	1	ZAA-105	FAST Magnetic Holster	29.97	_	29.97	
				Super Strong Magnet with Non-marring Coating	20101		20.01	
1	0	1	46178	Winchester XP3 Tri-Lens Shooti	18.69		18.69	
				ng Glasses Smoke Yellow & Clea * 46178 HAS BEEN SHIPPED SEPARATELY *				
1	0	1	CAMP-208	AquaPodKit Emergency Water Storage 65	19.97		19.97	
				Gallon			10.07	
				Includes Bladder And Pump With Instructions				
1	0	1	MHR-316	STOMP Portable Hospital Black Backpack Military Medical Kit	449.97	-	449.97	
				Extensive and Intensive Medic Care				
1	0	1	CAMP-250	Mosquito Net Military Style OD Green	9.97		9.97	
				Fine-mesh Polyester Net 8 Foot Diameter				
1	0	1	CAMP-352	Just Water Ceramic Water Filtration System Filter Kit	29.97		29.97	
				Ceramic Filter Sock Spigot 0.2 Micron Efficiency				
1	0	1	CAMP-099	Tarp Clamps Plastic Heavy Duty 3.25"	5.97		5.97	
				Package of 12 Adjust to Various Material Thickness				
1	0		SIGNATURE	Do NOT Use. Outdated. FedEx Signature	0.00		0.00	
				Required for Package				
				Do NOT Use. Outdated. FedEx Signature Required for Package				
				MERCHAND	ISE INVOICE T	OTAL \$	1074.27	

SHIPPING & HANDLING \$ 45.09 STATE SALES TAX \$ 92.35 INVOICE TOTAL \$ 1211.71 WEB CARD: VS, APPR:044223 \$ -1211.71

Exhibit G: DHS Report of Investigation 003

REQUESTED BY: REVORD, CHRISTOPHER J

OFFICIAL USE ONLY -- TECS II INFORMATION -- OFFICIAL USE ONLY

050615

TECS II - LIST OF RELATED RECORDS

PAGE 1 TN007005 REQUESTED BY: REVORD, CHRISTOPHER J
OFFICIAL USE ONLY

DEPARTMENT	OF HOMELAND SECURITY ICE		ACCESS CODE 3
	INVESTIGAT	PAGE	1
KEFORT OF	INVESTIGAT		NUMBER
TITLE: CLAYTON I	BROTHER ET AL		
CASE STATUS:	INTERIM RPT		
REPORT DATE	DATE ASSIGNED	PROGRAM CODE	REPORT NO.
051815	033115	YD0	003
RELATED CASE NO	MBERS:		
COLLATERAL REQ			And the second s
TYPE OF REPORT	:		
INVESTIGATIVE F	INDINGS		,
1	/ MEMO OF INTI	ERVIEW	1
TOPIC: INTERVIEW OF	CLAYTON BROTHERS		

SYNOPSIS:

Homeland Security Investigations (HSI), Border Enforcement Security Task Force (BEST) Massena, New York has received information from the New York State Police (NYSP) Bureau of Criminal Investigations (BCI) that Clayton BROTHERS is a convicted felon in possession of several firearms, body armor and ammunition. This case has been accepted for federal prosecution by the Northern District of New York (NDNY).

This report details the interview of Clayton BROTHERS at Camphill Pennsylvania State Correctional Institute.

DISTRIBUTION:	SIGNATURE:				
RACMZ SACBU HQTK	REVORD	CHRIST	OPHE J	SPECIAL	AGENT
	APPROVED:				
	WAUGAMAN	JACK	G	OI GRP	SUPERVISOR
*					
	ORIGIN OFFIC	CE: MZ	TEL	EPHONE:	315 769 3739
	MASSENA, NY -	RAC		_	
		-	TYP	IST: REV	ORD

DEPARTMENT OF HOMELAND SECURITY ICE REPORT OF INVESTIGATION CONTINUATION	PAGE 2 CASE NUMBER REPORT NUMBER: 003
CASE PROGRAM CODES:	
YDO CRIMINAL, ALL OTHER J7B MASSENA RES OPS 6IE BEST TFO HSI TASKFORCE OF	L6W BEST MASSENA FICE

DEPARTMENT OF HOMELAND SECURITY ICE	PAGE 3
REPORT OF INVESTIGATION	CASE NUMBER
CONTINUATION	REPORT NUMBER: 003

Details of Investigation

On May 12, 2015, agents from BEST Massena interviewed Clayton BROTHERS at Camphill Pennsylvania State Correctional Institute. BROTHERS is a current inmate serving time for a parole violation.

At approximately 1345 hours agents introduced themselves to BROTHERS and informed him of pending criminal charges against him as it relates to 18 USC 922(g), to wit: Felon In Possession of a Firearm. Agents presented photographs of firearms, ammunition and body armor seized from BROTHERS' residence in Russell, NY. Agents also presented receipts showing BORTHERS as the purchaser of thousands of rounds of .223 caliber ammunition, optics and accessories for assault style rifles from Cheaperthandirt.com.

BROTHERS looked at the photographs and receipts and spontaneously uttered "They are not all Mine." Agents told BROTHERS they could continue talking but would have to advise him of his rights before they spoke any further utilizing a Department of Homeland Security Statement of Rights form. BROTHERS responded by telling agents "There is a reasonable explanation and I want to talk to an attorney".

Agents provided BROTHERS with their contact information and told him he could contact them once he had an attorney to represent him in this case.

Before the BEST Massena Agents departed the interview room BROTHERS wanted to know why he was facing the felon in possession charges. It was explained to BROTHERS that items he purchased from cheaperthandirt.com were found attached to weapons seized from his residence in Russell, NY. Agents went on to show BROTHERS a photograph of the Sig Sauer pistol seized from his house with an attached optic sight cataloged as an item purchased by him from cheaperthandirt.com. BROTHERS looked at both the photograph and the receipt and said "I don't think that's right".

The interview ended at approximately 1355 hours.

The investigation continues.

Exhibit H: Notice of Seizure





NOTICE OF SEIZURE AND INFORMATION TO CLAIMANTS CAFRA FORM

June 16, 2015

CERTIFIED - RETURN RECEIPT REQUESTED - 7015 0640 0000 2211 2531

Clayton Brother /Inmate # DC8281 P.O. Box 200 Camp Hill Correctional Facility Camp Hill, PA 17001

Re: Case Number 2015070400005501

Dear Sir:

This is to notify you that U.S. Immigration and Customs Enforcement (ICE) seized the property described below at or near Russell, NY April 30, 2015.

Firearms, parts, and ammunition valued at \$15,030.00 (Inventory list attached.)

The property was seized and is subject to forfeiture under the provisions of 18 U.S.C. § 924(d) as being any firearm or ammunition involved in or used in any knowing violation of 18 U.S.C. § 922(g)(1), in that it is unlawful for any person who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transport in interstate or foreign commerce.

The facts available to CBP indicate that you have an interest in the seized property. The purpose of this letter is to advise you of the options available to you concerning this seizure. Two important documents—an "Election of Proceedings" form and a "Seized Asset Claim" form—are enclosed with this letter. You must choose one of the options outlined below, indicate your choice on the "Election of Proceedings" form, and return it, and any other necessary documents, to CBP within the allotted time frame (see options below).

Your options are as follows:

1. <u>Petition</u>: You may file a petition with this office within 30 days from the date of this letter in accordance with Title 19. United States Code (U.S.C.), Section 1618 and

(ATT 8-F: Revised November 2014)

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Title 19, Code of Federal Regulations (C.F.R.), Sections 171.1 and 171.2 (19 C.F.R. §§ 171.1, 171.2), seeking the remission of the forfeiture. The petition does not need to be in any specific form, but it must describe the property involved, identify the date and place of the seizure, include all the facts and circumstances which you believe warrant relief from forfeiture and must include proof of your interest in or claim to the property. Examples of proof of interest include, but are not limited to, a car title, loan agreement, or documentation of the source of funds. If you choose this option, you must check **Box 1** on the "Election of Proceedings" form.

By completing Box 1 on the "Election of Proceedings" form, you are requesting administrative processing. You are requesting that CBP refrain from beginning forfeiture proceedings while your petition is pending or that CBP halt forfeiture proceedings if they have already commenced.

If you choose to file an administrative petition and are dissatisfied with the petition decision (initial petition or supplemental petition), you will have an additional 60 days from the date of the initial petition decision, or 60 days from the date of the supplemental petition decision, or such other time as specified by the Fines, Penalties and Forfeitures Officer to file a claim to the property requesting a referral to the U.S. Attorney. If you do not act within these time frames, the property may be administratively forfeited to the United States. You may also request a referral to the U.S. Attorney at any point prior to the issuance of a petition decision by filing a claim. Please see section 4 of this letter for information on how to request judicial action. If you take such action after filing a petition for relief, your pending petition will be withdrawn from consideration.

If you request a referral to the U. S. Attorney or if another person asserting an interest in the same property chooses a referral to the U. S. Attorney, the matter will be referred to the U.S. Attorney who will have the authority to file a forfeiture action against the property in federal court pursuant to Title 18, U.S.C., Section 983(a)(3) (19 U.S.C. § 983(a)(3)).

If upon receipt of your petition, the matter has already been referred to the U.S. Attorney's Office for the institution of judicial forfeiture proceedings, your petition will be forwarded to the U.S. Attorney's Office for consideration.

2. Offer in Compromise: At any time prior to forfeiture, you may file an offer in compromise in accordance with 19 U.S.C. § 1617 and 19 C.F.R. §§ 161.5, 171.31. The offer must specifically state that you are making it under the provisions of 19 U.S.C. § 1617. If you are offering money in settlement of the case, you must include payment (bank draft, cashier's check or certified check, drawn on a U.S. financial institution, and made payable to CBP) in the amount of your offer. CBP may only consider the amount of your offer and will return the full offer if it is rejected. This option may serve to delay the case. If you choose this option, you must check Box 2 on the "Election of Proceedings" form.

If you choose to submit an offer in compromise and are dissatisfied with the offer decision, you will have an additional 30 days from the date of the offer decision to file a claim requesting a referral for judicial action. If you do not act within the additional 30 days, the property may be forfeited to the United States.

You may also request a referral for judicial action at any point prior to the issuance of the offer decision by fully completing the enclosed "Seized Asset Claim" form or by otherwise submitting a complete judicial claim consistent with the requirements under 18 U.S.C. § 983(a)(2)(C). If you take such action, your petition or offer will be considered to have been withdrawn.

If, upon receipt of your offer, the matter has already been referred to the U.S. Attorney's Office for the institution of judicial forfeiture proceedings, your offer will be forwarded to the U.S. Attorney's Office for consideration as an offer in settlement of the judicial action, as appropriate.

- 3. Abandon: You may abandon the property or state that you have no claim to or interest in it. If you choose this option, you should check Box 3 on the "Election of Proceedings" form. The Government may proceed with forfeiture proceedings or address claims from other parties concerning the property, without further involving you.
- 4. Court Action: On or before July 24, 2015, you may request referral of this matter to the U.S. Attorney, who will have the authority to file a forfeiture action against the property in federal court pursuant to 18 U.S.C. § 983(a)(3). If you choose this option, you should check Box 4 on the "Election of Proceedings" form, and fully complete the enclosed "Seized Asset Claim" form or otherwise submit a complete judicial claim as required by 18 U.S.C. § 983(a)(2)(C).

Take No Action: If you choose to do nothing, this office may initiate forfeiture action. The first notice will be posted on or about 35 days from the date of this letter.

For property appraised in excess of \$5,000, CBP will post notice of seizure and intent to forfeit on the internet at www.forfeiture.gov for 30 consecutive days.

For property appraised at \$5000 or less, CBP will post a notice of seizure and intent to forfeit in a conspicuous place accessible to the public at the customhouse or Border Patrol sector office (where appropriate) nearest the place of seizure as well as on the internet at www.forfeiture.gov for 30 consecutive days.

Release on Payment: If the seized merchandise is not, by law, prohibited from entry into the commerce of the United States, you may, within 30 days of this letter, submit an offer to pay the full appraised domestic value of the seized property accompanied by the full payment (bank draft, cashier's check or certified check, drawn on a U.S. financial institution, and made payable to CBP) or an irrevocable letter of credit in accordance with 19 U.S.C. § 1614 and 19 C.F.R. § 162.44.

If CBP accepts your offer to substitute release of the seized property on payment, the property will be immediately released, and the payment or letter of credit will be substituted for the seized property. You may still submit a petition, offer in compromise, or request that the matter be referred to the U.S. Attorney's Office and you must check the appropriate box on the "Election of Proceedings" form. The decision letter on your offer will provide you with the time frames for those options.

If, upon receipt of your offer, the matter has already been referred to the U.S. Attorney's Office for the institution of judicial forfeiture proceedings, your offer will be forwarded to the U.S. Attorney for consideration.

Holder of a Lien or Security Interest: If you are a holder of a lien or security interest and you do not file a request for court action (option 4 above), you may avail yourself of any of the other enumerated options. No relief will be granted to you until after forfeiture, unless your petition, offer or request is accompanied by an agreement to hold the United States, its officers and employees harmless, and a release from the registered owner and/or person from whom the property was seized.

All accompanying documents must be in the English language or accompanied by an English language translation and submitted in duplicate.

No matter which box you check on the "Election of Proceedings" form, you should sign, date and return the form, along with any petition, offer in compromise, or request for judicial proceedings, if those documents are necessary to support the option you choose. A "Seized Asset Claim" form should only be completed, signed, and returned if you make a claim and ask for the case to be referred for judicial forfeiture. Important: If these forms are not enclosed with this letter, please promptly call the telephone number below. All correspondence should be addressed to U.S. Customs and Border Protection, FP&F Office, 237 West Service Road, Champlain, NY 12919. If further information is required, contact Paralegal Specialist Teri Johnson at 315-268-7432. All inquiries should reference the case number.

Sincerely,

Cynthia A. Decosse FP&F Officer

Enclosures: Election of Proceedings - CAFRA Form

CAFRA Seized Asset Claim Form

Inventory List

A FALSE STATEMENT OR CLAIM MAY SUBJECT A PERSON TO PROSECUTION UNDER 18 U.S.C. § 1001 AND/OR 18 U.S.C. § 1621, AND MAY BE PUNISHABLE BY A FINE AND IMPRISONMENT

Case Number 2015070400005501 Inventory List

Line Item	Description	Quantity	Appraised Value
001	Colt Law Enforcement Carbine	1	\$1,899.00
002	DPMS Carbine	1	\$1,595.00
003	SIG Sauer Pistol	1	\$1,799.00
004	Thompson Center Arms Muzzle Loader	1	\$560.00
005	Savage Arms .22 Rifle	1	\$419.00
006	Remington Model 742 30-06	1	\$429.00
007	Nikon Buckmaster Rifle Scope	1	\$149.00
008	PAM30 Scope	1	\$149.00
009	Sight Mark Laser Sight	1	\$89.00
010	Sight Mark Red Dot W/Laser	1	\$149.00
011	Camouflage Body Armor	1	\$2,047.00
012	Bushnell Scope	1	\$175.00
013	.223 Caliber Rounds	3543	\$5.314.00
014	30-06 Caliber Rounds	15	\$15.00
015	PMAG 30 Round Capacity .223 Magazines	10	\$100.00
016	30 Round Capacity .223 Caliber Magazines	4	\$40.00
017	SIG Sauer 30 Round Capacity .223 Caliber Mag	2	\$82.00
018	Colt 20 Round Capacity .223 Caliber Magazine	1	\$20.00
			\$15,030.00

ELECTION OF PROCEEDINGS - CAFRA FORM

NOTE: READ THE ATTACHED NOTICE OF SEIZURE AND INFORMATION FOR CLAIMANTS BEFORE YOU FILL OUT THIS FORM. THIS FORM SHOULD BE COMPLETED AND RETURNED TO U.S. CUSTOMS AND BORDER PROTECTION (CBP) at 237 West Service Road, Champlain, NY 12919.

I understand that property in which I have an interest has been seized by CBP/U.S. Immigration and Customs Enforcement (ICE) under case number 2015070400005501.

Check ONLY ONE (1) of the following choices:

- 1. I REQUEST THAT CBP CONSIDER MY PETITION ADMINISTRATIVELY BEFORE FORFEITURE PROCEEDINGS ARE INITIATED. My petition is attached. By making this request, I understand that I can request, in writing, that my case be referred for judicial forfeiture proceedings at any time prior to the completion of the administrative forfeiture proceedings or as set forth in the notice of seizure. If I choose to wait for an administrative decision on my petition, my deadline for filing a claim as required by 18 U.S.C. § 983(a)(2)(B) is 60 days from the date of the petition decision; or, if I choose to file a supplemental petition, my deadline for filing a claim as required by 18 U.S.C. § 983(a)(2)(B) is 60 days from the date of the supplemental petition decision. If I file a complete "Seized Asset Claim" form or other claim consistent with the requirements of 18 U.S.C. § 983(a)(2)(C), CBP consideration of my petition will stop and the case will be sent to the United States Attorney's Office for judicial forfeiture proceedings.
- 2. I REQUEST THAT CBP CONSIDER MY OFFER IN COMPROMISE ADMINISTRATIVELY BEFORE FORFEITURE PROCEEDINGS ARE INITIATED. My offer is attached. By making this request, I understand that I can request, in writing, that my case be referred for judicial forfeiture proceedings at any time prior to the completion of the administrative forfeiture proceedings or as set forth in the notice of seizure. If I choose to wait for an administrative decision on my offer, my deadline for filing a claim is 30 days from the date of the decision. If I file a complete "Seized Asset Claim" form or other claim consistent with the requirements of 18 U.S.C. § 983(a)(2)(C), CBP consideration of my offer will stop and the case will be sent for judicial forfeiture proceedings.
- 3. I <u>ABANDON</u> ANY CLAIM OR INTEREST I MAY HAVE IN THE PROPERTY. I understand that no additional notice about future proceedings concerning the property will be provided to me.
- 4. I AM FILING A CLAIM AND REQUESTING THAT CBP REFER THE CASE FOR COURT ACTION. Please send the case to the U.S. Attorney for court action. I have fully completed, signed and attached a "Seized Asset Claim" form. I understand that if I have not fully completed this form, or otherwise made a proper claim and request for judicial forfeiture pursuant to 18 U.S.C. § 983(a)(2)(C) within 35 days after the date the notice of seizure was mailed, CBP will treat any submission as a petition for relief without the ability to seek future judicial forfeiture proceedings.

Name (Print)	Date	
Signature		

U.S. CUSTOMS AND BORDER PROTECTION CAFRA SEIZED ASSET CLAIM FORM

Case Number: <u>2015070400005501</u>

Address:	Telephone No: ()
THIS CLAIM FORM MUST	O COMPLETE ALL PARTS BELOW. I BE SIGNED BY THE CLAIMANT HIS OR HER RNEY OR OTHER REPRESENTATIVE ACTING IMANT.
As authorized by 18 U.S.C. § 9 complaint for forfeiture on the	983(a)(2)(A), I request that the Government file a seized property described below:
PART I	
identify the items, such as seria	claim an interest. Include sufficient information to all numbers, make and model numbers, aircraft tail forth. Attach additional sheets of paper if more space is
PART II	
State your interest in each item if more space is needed.	of property listed above. Attach additional sheets of paper
PART III (ATTESTATION A	AND OATH)
I attest and declare under penal my claim is true and correct to	lty of perjury that the information provided in support of the best of my knowledge and belief.
Name (Print)	Date
Signature	-
	NT OR CLAIM MAY SUBJECT A PERSON TO U.S.C. § 1001 AND/OR 1621 AND IS PUNISHABLE BY

A FINE AND UP TO FIVE YEARS IMPRISONMENT.

(ATT 8-H: Revised November 2014)

ALBANIV NIV 120 PM 3 24 JUL 2015

STOCKELL CO. CORRECTIONAL FACILITY
BOX 452
TONVILLE, NY 12072 auton Brothers - A12

U.S. CUSTOMS AND BORDER PROTECTION 237 WEST SERVICE RUAD CHAMPLAIN, NY 12919

12919447699

FGAL MAIL

CHAMPLAIN, NY

JUL 28 2012

RECEIVED

Brothers' Response to Notice was due by COB July 24, 2015

There sie, claim received on July of, 2015 was untimely too lake, and was incompleted Claimwill not be forwarded. FP + F will treat the Submissin as petition.

CASE # 2015070400005 501 RECEIVED

JUL 28 2015

CBP-FP&F CHAMPLAIN, NY

I. CLAYTON BROTHLERS, BY SPECIAL APPEARANCE, AM SEEKING LEWAL COUNCIL IN THE ABOVE CASE. I CANNOT AFFORD COUNCIL SO I WOULD ASK THAT THE GOVERNMENT PROVIDE COUNSEL FOR ME.

RECEIVED

JUL 28 2015

ELECTION OF PROCEEDINGS - CAFRA FORM

CBP-FP&F CHAMPLAIN, NY

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Check ONLY ONE (1) of the following choices:



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- 3. I <u>ABANDON</u> ANY CLAIM OR INTEREST I MAY HAVE IN THE PROPERTY. I understand that no additional notice about future proceedings concerning the property will be provided to me.
 - ACTION. Please send the case to the U.S. Atterney for court action. I have fully completed, signed and attached a "Seized Asset Claim" form. I understand that if I have not fully completed this form, or otherwise made a proper claim and request for judicial forfeiture pursuant to 18 U.S.C. § 983(a)(2)(C) within 35 days after the date the notice of seizure was mailed, CBP will treat any submission as a petition for relief without the ability to seek future judicial forfeiture proceedings.

Clayton Brothers Name (Print)

7-22-15 Date

Signature

RECEIVED

JUL 28 2015

U.S. CUSTOMS AND BORDER PROTECTION

CAFRA SEIZED ASSET CLAIM FORM CHAMPL
Name: Clayton Brothuis - AIZ Case Number: 2015070400005501 Address: Montgomery Co. Coccett, DNOL FAC. Telephone No: () PO. BOX 432 FULTDNVILLE, NY 12072
IMPORTANT: BE SURE TO COMPLETE ALL PARTS BELOW. THIS CLAIM FORM MUST BE SIGNED BY THE CLAIMANT HIS OR HER SELF, NOT BY THE ATTORNEY OR OTHER REPRESENTATIVE ACTING ON BEHALF OF THE CLAIMANT.
As authorized by 18 U.S.C. § 983(a)(2)(A), I request that the Government file a complaint for forfeiture on the seized property described below:
PART I
List all the items in which you claim an interest. Include sufficient information to identify the items, such as serial numbers, make and model numbers, aircraft tail numbers, photographs, and so forth. Attach additional sheets of paper if more space is needed.
PART II
State your interest in each item of property listed above. Attach additional sheets of paper if more space is needed.
PART III (ATTESTATION AND OATH)
I attest and declare under penalty of perjury that the information provided in support of any claim is true and correct to the best of my knowledge and belief. 7-20-15
Name (Print) Date
21 auton Brothers
Signature

A FALSE STATEMENT OR CLAIM MAY SUBJECT A PERSON TO PROSECUTION UNDER 18 U.S.C. § 1001 AND/OR 1621 AND IS PUNISHABLE BY A FINE AND UP TO FIVE YEARS IMPRISONMENT.

At a Term of the County Court held in and for

the County of St. Lawrence at the Courthouse thereof in the Village of Canton, New York, this Of day of PRESENT: HON. JEROME J. RICHARDS, COUNTY JUDGE Index # 22793 Indictment/S.C.I.# 2015 THE PEOPLE OF THE STATE OF NEW YORK RELEASE ORDER - against then M. Howells, II Defendant TO: THE SHERIFF OF THE COUNTY OF ST. LAWRENCE This is to certify that the above-named defendant, is hereby ORDERED released from the custody of the Sheriff of the County of St. Lawrence for the following reasons: GASED ON HIS OWN RECOGNIZANCE ON TION THAT THE DEFENDANT EPTEMBER 22, ZOIY ORDER OF JUDGE THERESE <u>CITINITUAL</u> NO. 5/14-1 ST. LAW. CO. ENTER, REGENYED AT JEROME J. RICHARDS, COUNTY JUDGE

At a Term of the County Court held in and for

JEROME J. RICHARDS, COUNTY JUDGE

the County of St. Lawrence at the Courthouse thereof in the Village of Canton, New York, this Of day of PRESENT: HON. JEROME J. RICHARDS, COUNTY JUDGE Index # 22793 Indictment/S.C.I. # 2015 THE PEOPLE OF THE STATE OF NEW YORK RELEASE ORDER - against -Jephen M. Howells, II Defendant TO: THE SHERIFF OF THE COUNTY OF ST. LAWRENCE This is to certify that the above-named defendant, is hereby ORDERED released from the custody of the Sheriff of the County of St. Lawrence for the following reasons: GASED ON HIS OWN RECOGNIZANCE ON TION THAT THE DEFENDANT TEMBER 22, ZOIY ORDER OF MAGSTRATE JUDGE THERESE ST. LAW. CO. ENTER, TA CIBVED AT